
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

§

versus

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CASE NO. 1:98-CR-108(2)

MIKE SMITH, JR.

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MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the defendant's plea of true. The defendant consented to the revocation of his supervised release and waived his right to be present and allocute at sentencing. The parties have not objected to Judge Giblin's report. The Court concludes that the magistrate judge's findings of fact and recommendation should be accepted.

The Court ORDERS that the findings of fact and recommendation on plea of true (#164) are ADOPTED. The Court finds that the defendant, Mike Smith, Jr., violated conditions of his supervised release. The Court REVOKES his term of supervision. Pursuant to Judge Giblin's recommendation and the parties' agreement, the Court ORDERS the defendant to serve a term of thirteen (13) months plus eighty (80) days imprisonment for the revocation. The Court further ORDERS the defendant to serve a new six (6) month term of supervised release after his release from prison. The Court will set forth the conditions for the new term of supervision in a separate revocation judgment.

SIGNED at Beaumont, Texas, this 11th day of September, 2014.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE